

# DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR TESTING A LASER MODULE BY MEASURING ITS SIDE MODE SUPPRESSION RATIO the specification of which

(check one) XX is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) |           |                        | Priority Claimed |       |
|------------------------------|-----------|------------------------|------------------|-------|
| (Number)                     | (Country) | (Day/Month/Year Filed) | Yes              | No    |
| _____                        | _____     | _____                  | _____            | _____ |
| (Number)                     | (Country) | (Day/Month/Year Filed) | Yes              | No    |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                          |               |                                |
|--------------------------|---------------|--------------------------------|
| (Application Serial No.) | (Filing Date) | (Status)                       |
| _____                    | _____         | (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status)                       |
| _____                    | _____         | (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status)                       |
| _____                    | _____         | patented, pending, abandoned)  |

Direct all telephone calls to **Gary S. Williams** at (650) 493-4935.

Address all correspondence to:

PENNIE & EDMONDS LLP  
3300 Hillview Avenue  
Palo Alto, California 94304

File No. 9775-0107-999

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **sole or**  
**first** inventor:

CHARLES W. MILLER

Inventor's signature:

Charles W. Miller

Date:

9/6/02

Residence:

SAN JOSE, CALIFORNIA

Citizenship:

U.S.A.

Post Office Address:

6592 WOODCLIFF COURT

SAN JOSE, CALIFORNIA 95120



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

9775-107-999

DECEMBER 23, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

PENNIE & EDMONDS LLP  
GARY S. WILLIAMS  
3300 HILLVIEW AVENUE  
PALO ALTO, CA 94304



\*102230722A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/18/2002

REEL/FRAME: 013308/0334  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MILLER, CHARLES W ✓

DOC DATE: 09/06/2002

ASSIGNEE:

FINISAR CORPORATION ✓  
1308 MOFFETT PARK DRIVE  
SUNNYVALE, CALIFORNIA 94089-1133

SERIAL NUMBER: 10246038 ✓  
PATENT NUMBER:

FILING DATE: 09/18/2002 ✓  
ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECEIVED RECORDS

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CSW-244  
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09-24-2002



102230722

Attorney Docket Number  
9775-0107-999TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Box Assignment  
Washington, DC 20231

Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

CHARLES W. MILLER

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other \_\_\_\_\_Execution Date: September 6, 2002

## 2. Name and address of receiving party(ies):

Name: FINISAR CORPORATIONAddress: 1308 Moffett Park Drive  
Sunnyvale, California 94089-1133

Country (if other than USA): \_\_\_\_\_

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 6, 2002A. Patent Application No.(s) 10246038

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP  
3300 Hillview Avenue  
Palo Alto, CA 943046. Number of applications and patents involved: one7. Total fee (37 CFR 3.41):.....\$ 40.00  
Please charge to the deposit account listed in Section 8.8. Deposit account number:  
16-1150 (9775-0107-999)

## DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Gary S. Williams31,066

Name of Person Signing Reg. No.

Signature

September 18, 2002

Date

Total number of pages including cover sheet:

3

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

09/23/2002 LMJELLER 00000222 161150 10246038

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## ASSIGNMENT

WHEREAS, I, CHARLES W. MILLER, a resident of San Jose, California a citizen of United States (hereinafter "ASSIGNOR"), have invented certain new and useful improvements in **SYSTEM AND METHOD FOR TESTING A LASER MODULE BY MEASURING ITS SIDE MODE SUPPRESSION RATIO**, having executed concurrently herewith an application for a United States patent disclosing and identifying the invention; which is identified by Pennie & Edmonds LLP docket no. 9775-0107-999; and

WHEREAS, FINISAR CORPORATION, located in Sunnyvale, California, a corporation created and existing under and by virtue of the laws of the State of Delaware is (hereinafter "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the aforesaid application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries. to and under the said invention and the said application:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said application for U.S. Letters Patent, and any and all divisions, continuations and renewals thereof, and any and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

The terms, covenants and conditions of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding on said Inventor, his/her heirs, legal representatives and assigns.

IN TESTIMONY WHEREOF, said Inventor has executed and delivered this instrument to said Assignee the day and year below written.

1.

Charles W. Miller

CHARLES W. MILLER

State of California )

County of Santa Clara )

) SS.:

On this 6<sup>th</sup> day of September, 2002, before me, a Notary Public in and for the State and County aforesaid, personally appeared Charles W. Miller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~ executed the same in his/~~her~~ authorized capacity, and that by his/~~her~~ signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.  
WITNESS my hand and official seal.

Christina Chiang

Seal:

Notary Public.

